

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants – Health Medical & Family Welfare Department – Allegations of corruption against Dr. G. Anasuya, Deputy Civil Surgeon, Bhimavaram, West Godavari district – Trapped by ACB officials – Convicted by the Trial Court – Criminal Appeal allowed by the High Court – S.L.P. filed in the Supreme Court – Dismissed – Further action – Dropped – Orders – Issued.

HEALTH, MEDICAL & FAMILY WELFARE (VC-1) DEPARTMENT

G.O. Rt. No. 502

Dated:12-04-2010
Read the following:-

- 1) G.O. Rt. No. 439, Health Medical & Family Welfare (H1) Department, dated 22.03.1994.
- 2) G.O. Ms. No. 624, Health Medical & Family Welfare (H1) Department, dated 06.12.1994.
- 3) Judgment of the Special Judge for SPE & ACB Cases, Vijayawada in C.C. No. 2/95, dated 24.11.1998.
- 4) G.O. Rt. No. 267, Health Medical & Family Welfare (VC.I) Department, dated 03.04.2002.
- 5) Orders, dated 12.07.2005 of Hon'ble High Court in Criminal Appeal No. 1788 of 1998 filed by Dr. G. Anasuya.
- 6) Orders, dated 26.11.2009 of Hon'ble Supreme Court of India, in Criminal Appeal No. 1320 of 2006.
- 7) From dr. G. Anasuya, Dy. Civil Surgeon (Retd.), representation, dated 02.03.2010.

ORDER:

Dr. G. Anasuya, Deputy Civil Surgeon, Government Hospital, Bhimavaram was trapped by the Anti Corruption Bureau officials on 17.02.1994, when she demanded and accepted bribe amount from the complainant. In G.O. first read above, orders were issued placing the individual under suspension from service, pending initiation of disciplinary proceedings. In the G.O. second read above, Government accorded sanction for prosecution of Dr. G. Anasuya, Deputy Civil Surgeon, Government Hospital, Bhimavaram, West Godavari district for the offences punishable under section 7 and section 13 (1)(d) read with section 13 (2) of the Prevention of Corruption Act, 1988. She was retired from service on superannuation on 30.06.1997, without prejudice to the criminal proceedings pending against her. The suspension of the individual was extended till the retirement and during the suspension period, she was paid the subsistence allowance under F.R. 53. In the reference third read above, the Special Judge for SPE & ACB Cases, Vijayawada pronounced judgment on 24.11.1998 in C.C. 2 of 1995, convicting the Accused Officer. Therefore, in G.O. fourth read above, Government issued orders inflicting the penalty of withholding the Pension and Pensionary benefits permanently against Dr. G. Anasuya, Deputy Civil Surgeon (Retired), as she was convicted by the Trial Court. Aggrieved by the conviction orders of Trial Court, Dr. G. Anasuya, Deputy Civil Surgeon (Retd.) has filed Criminal Appeal No. 1788 of 1998 in the High Court. In its order dated 12.07.2005, the Hon'ble High Court allowed the Criminal Appeal by giving benefit of doubt to the appellant. Government filed S.L.P. in the Hon'ble Supreme Court against the orders of High Court in Criminal Appeal No. 1788 of 1998. In the reference sixth read above, the Hon'ble Supreme Court dismissed the Criminal Appeal filed by the Government.

2. Government, having regard to the facts of the case decided to implement the orders of the Hon'ble Supreme Court. Accordingly, the orders issued in G.O. fourth read above are hereby cancelled. Government further direct that the pensionary benefits shall be released to Dr. G. Anasuya, Deputy Civil Surgeon (Retd.), Government Hospital, Bhimavaram, West Godavari district forth with. The period spent by Dr. G. Anasuya, Deputy Civil Surgeon under suspension from service is hereby treated as "not duty", as she was acquitted by the High Court only on benefit of doubt and the pay and allowances for the suspension period are limited to the subsistence allowance already drawn by her.

3. The Director of Health, A.P., shall take further action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.P.V.RAMESH
SECRETARY TO GOVERNMENT

To

Dr. G. Anasuya, Deputy Civil Surgeon (Retd.),
through the Director of Health, A.P., Hyderabad
The Director of Health, A.P., Hyderabad.

Copy to:

The Director General, Anti Corruption Bureau, Hyderabad.

The Accountant-General, A.P., Hyderabad.

The District Treasury Officer, West Godavari district,
ELURU.

SF.

//FORWARDED::BY ORDER//

SECTION OFFICER